

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ROBERT A. SMITH,

Case No. 3:15-cv-00234-MMD-VPC

Petitioner,

ORDER

v.

RENEE BAKER, *et al.*,

Respondents.

In this habeas corpus action, brought by Nevada prisoner Robert A. Smith, the respondents filed an answer on January 12, 2016 (dkt. no. 24), and Smith's reply is due on March 15, 2016. See Order entered December 2, 2015 (dkt. no. 21).

On December 28, 2015, Smith filed a Motion for Reconsideration of Appointment of Counsel or in the Alternative Motion for Appointment of Counsel (dkt. no. 23), requesting that counsel be appointed for him. He also filed a Motion for Leave of Court (dkt. no. 22), requesting leave of court to file his motion for appointment of counsel.

Leave of court is not necessary for Smith to file his motion for appointment of counsel. The motion for appointment of counsel has been filed. The motion for leave of court is, therefore, moot, and will be denied on that ground.

The Court previously denied appointment of counsel for Smith in an order entered on July 2, 2015 (dkt. no. 6). The Court finds reconsideration of that ruling to be unwarranted. The Court will deny Smith's new motion for appointment of counsel for the reasons stated in the July 2, 2015, order.


1 The Court will extend to April 29, 2016, the time for Smith to file his reply to
2 respondents' answer.

3 It is therefore ordered that petitioner's Motion for Reconsideration of Appointment
4 of Counsel or in the Alternative Motion for Appointment of Counsel (dkt. no. 23) is
5 denied.

6 It is further ordered that petitioner's Motion for Leave of Court (dkt. no. 22) is
7 denied as moot.

8 It is further ordered that the time for petitioner to file a reply to respondents'
9 answer is extended to April 29, 2016.

10 DATED THIS 22nd day of January 2016.

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14 MIRANDA M. DU
15 UNITED STATES DISTRICT JUDGE
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